

## Message Text

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PAGE 01 PANAMA 06616 130256Z  
ACTION ARA-15

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O 121459Z SEP 78  
FM AMEMBASSY PANAMA  
TO SECSTATE WASHDC IMMEDIATE 8840

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STADIS//////////

C O R R E C T E D C O P Y TEXT PARA 2 SUB PARA A

E.O. 11652: N/A  
TAGS: PBOR, PN  
SUBJ: MOVABLE PROPERTY TRANSFER GUIDELINES

REF: A. STATE 205897, B. STATE 209819

1. THIS IS A PARTIAL AND PRELIMINARY RESPONSE TO THE QUESTIONS POSED IN REFTELS. THE EMBASSY RECEIVED A COPY OF THE DRAFT GUIDELINES ONLY MONDAY AFTERNOON AND HAS HAD INSUFFICIENT TIME TO STUDY THEM. THEREFORE, THE FOLLOWING COMMENTS ARE TENTATIVE AND SUBJECT TO RECONSIDERATION AND ELABORATION. WE WILL SUBMIT COMMENTS AFTER WE HAVE HAD A CHANCE TO STUDY THE DOCUMENTS, PROVIDED IT IS NOT TOO LATE TO BE OF SOME VALUE TO THE DEPARTMENT.

2. THE DOCUMENT WHICH COMES CLOSEST TO REFLECTING OUR VIEWS IS THE LETTER FROM ASSISTANT SECRETARY VAKY TO THOMAS M. CONSTANT, SECRETARY OF THE PANAMA CANAL CO., OF AUGUST 11, 1978. WHILE WE MAY DIFFER IN SOME RESPECTS WITH VAKY, IN GENERAL HIS SEEMS TO US A RESPONSIBLE APPROACH TO THE PROBLEM. THE FOLLOWING COMMENTS ARE KEYED  
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PAGE 02 PANAMA 06616 130256Z

TO THE COMMENTS REQUESTED IN PARAGRAPH 4 OF REF B:

A. WE STRONGLY SUPPORT PRC REVIEW OF THE PROPOSED GUIDELINES, WE WOULD HOPE THAT ANY RECOMMENDATION BY THE PRINCIPALS ON THE SCENE WOULD CARRY A VERY GREAT WEIGHT IN

B. DISCUSSION OF THIS QUESTION WITH THE GOVERNMENT

OF PANAMA SHOULD BE UNDERTAKEN AS SOON AS POSSIBLE. IN OUR JUDGMENT, THE AMBASSADOR SHOULD BE THE PRINCIPAL U.S. OFFICIAL DISCUSSING THE MATTER WITH THE PANAMANIAN, SINCE 1) HE IS THE CHAIRMAN OF THE PRC AND 2) UNDER THE DRAFT LEGISLATION HE WOULD HAVE RESPONSIBILITIES FOR TRANSFERS OF FUNCTIONS TO PANAMA. PANCANAL (AND PERHAPS SOUTHCOM) SHOULD BE REPRESENTED IN THESE DISCUSSIONS BY HIGH-LEVEL OFFICIALS. ONCE THE POLICY IMPLICATIONS OF THE GUIDELINES HAVE BEEN EXPLAINED TO, AND HOPEFULLY ACCEPTED BY, THE PANAMANIAN GOVERNMENT, IMPLEMENTATION SHOULD BE TURNED OVER TO THE BI-NATIONAL WORKING GROUP. SINCE WE WOULD ANTICIPATE THAT PROBLEMS WOULD ARISE IN IMPLEMENTATION, THE AMBASSADOR MIGHT WELL HAVE TO BE BROUGHT INTO THE PICTURE AGAIN IN AN EFFORT TO WORK OUT PROBLEMS.

C. SINCE WE DO NOT KNOW WHAT THE GUIDELINES WILL BE AND ASSUME THAT THEY WILL DIFFER FROM THE FIRST DRAFT, WE PREFER TO POSTPONE GUESSING THE PANAMANIAN GOVERNMENT'S REACTION. WE BELIEVE IT IS SAFE TO SAY, HOWEVER, THAT PANAMA WILL PRESS FOR A POLICY WHICH IS MOST LIBERAL TO PANAMA. A HIGHLY RESTRICTIVE POLICY ON OUR PART WOULD PROBABLY RAISE A HOWL AND PRECIPITATE THE FIRST SERIOUS BILATERAL PROBLEM ARISING OUT OF THE TREATIES.  
DIKEOS

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
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**Draft Date:** 12 sep 1978  
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**TAGS:** PBOR, ABLD, PN  
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